

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 1514 of 1999

For Approval and Signature:

Hon'ble MR.JUSTICE S.D.DAVE and

MR.JUSTICE J.R.VORA

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
 2. To be referred to the Reporter or not?
 3. Whether Their Lordships wish to see the fair copy of the judgement?
 4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
 5. Whether it is to be circulated to the Civil Judge?
1 to 5 No
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NAVIN CHEMICALS WORKS

Versus

STATE OF GUJARAT

Appearance:

NANAVATI & NANAVATI for Petitioners
MR ND GOHIL, AGP for State
MR HARESH TRIVEDI for GPCH
MR Y.F. MEHTA FOR GIDC

CORAM : MR.JUSTICE S.D.DAVE and
MR.JUSTICE J.R.VORA

Date of decision: 29/04/99

ORAL JUDGEMENT : [Per: Dave, J.]

1. This petition has been taken out by the petitioners for the principal prayer of the issuance of

appropriate writ, orders or directions, deleting the name of the petitioners from the list of the units, against whom, suo moto proceedings came to be instituted in Spl. C.A. No. 6926 of 1994 and/or Spl.C.A. No. 14019 of 1994.

2. We have heard learned counsel for the petitioners along with learned counsel Mr. Haresh Trivedi for the GPCB.

3. It is not in dispute that at present the Industry is a closed one. This is apparent from the inspection report being presented by learned counsel Mr. Haresh Trivedi for the GPCB, which would go to show that the Industry came to be visited by the GPCB officials on April 12, 1999 and at that time it was found that the unit was not in operation since a pretty long time. In view of this position, we are of the opinion that these proceedings should be disposed of by saying that though the petitioner Industry shall stand exonerated from the above said two main proceedings, they should not recommence their activity without having obtained the prior consent from the GPCB and the appropriate orders from this Court. Proceedings stand disposed of with these orders. The Industry shall stand exonerated from the above said two proceedings. Rule or Notice, as the case may be, against the Industry in the said proceedings, shall stand discharged with no order as to costs.

4. The copy of the report being presented by learned counsel Mr. Haresh Trivedi be retained on record.

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